

Growth of Trees Near Houses Built by Housing Board

657. D. B. KALMAHAR (Afzalpur).—

Will the Minister for Finance and Housing be pleased to state :—

(a) whether it has come to the notice of Government that the houses built by the Housing Board are small with very little lung space left around ;

(b) whether it has come to the notice of Government that the owners (lessees) of these houses or tenants have grown trees like mangoes and other fruit bearing trees which are usually grown in garden lands to the detriments of the neighbours resulting in cracks to houses, preventing free passage of light ;

(c) if so, whether the Government would bring in a suitable amending law forbidding growth of such trees in public interest ;

SRI M. Y. GHORPADE (Minister for Finance and Housing).—

(a) No.

(b) No.

(c) Does not arise.

SRI D. B. KALMAHAR.—May I know the various categories of houses built by the Housing Board and what the built-areas ? May I also know what are the areas ear-marked for the houses ?

†SRI M. Y. GHORPADE.—This question pertains to the area around the buildings and the method of preventing the free growth in the area. In the Municipal Corporation Act, 1949, we have got two provisions—Section 240 and Section 266 and as per Section 240, the Municipal Corporation has got the power to regulate or restrict the use of sites or buildings. They have got to use that power.

Sofar as Section 266 of the Corporation Act is concerned, it reads as follows :—

“Precautions in case of dangerous trees.—(1) If any tree or any branch of a tree or the fruit of any tree be deemed by the Commissioner to likely to fall and thereby to endanger any person or any structure, the commissioner may by notice require the owner of the said tree to secure, lop or cut down the said tree so as to prevent any danger therefrom.

(2) If immediate action is necessary, the Commissioner may himself before giving such notice or before the period of notice expires secure, lop or cut down the said tree or remove the fruit thereof or fence off a part of any street or to take such temporary measures, as he thinks fit to prevent danger, and the cost of so doing shall be recoverable from the owner of the tree in the manner provided in the Section 411.”

I read this because, very elaborate provisions have been made. It is a question of each Municipal Body exercising those powers. If we read this provision, we notice that a word "fruit" has been mentioned and according to the section, Commissioner legally becomes entitled to remove the fruits and the charge to do so shall be recovered from the owner. Madam Speaker, in our country, they make very elaborate laws but the difficulty is in implementing them in the manner which they ought to be implemented. We are not suffering from the lack of laws.

SRI D. B. KALMANKAR.—Since the Government is the controlling body for Housing Board, whether the Government will direct the Municipalities and Corporation to take action because such things are found everywhere with the result there is a danger to the safety of the buildings.

SRI M. Y. GHORPADE.—If any Hon. Member brings to the notice of the Government that certain area or building is endangered because of non-application of provisions, we will certainly bring it to the notice of whichever civic body is concerned.

MADAM SPEAKER.—Now Question Hour is over.

QUESTION FOR ANSWERS ON THE DAY (but not taken up)

Minor Irrigation Works in Bangalore District

650. SRI S. B. PUTTASWAMAIAH (Ramanagaram).—

Will the Minister of State for Minor Irrigation be pleased to state :—

(a) the number of Minor Irrigation Works taken up in Bangalore District since 1972 ;

(b) of them the number taken up in Ramanagaram Taluk ;

(c) the number of them taken up in Virupakshapura Hobli in Channarayana Taluk ;

(d) the date on which they were sanctioned and the progress of each work ?

SRI B. NAGARAJ (Minister of State for Minor Irrigation).—

(a) 8 works.

(b) 2 works.

(c) Nil.

(d) Statement showing the details is appended.